

**SUMMARY OF PROCEEDINGS & MINUTE ORDER**

In re

Case No. **13-64561-fra 11**

Date **11/20/13**

**C & K Market, Inc.**

Judge **Alley**  
Court Reporter **FTR**  
CrtRm Deputy 

**MATTER BEFORE THE COURT**

**Debtor's Motion for Authority to Pay Prepetition PACA Claims (15)**  
**Debtor's Motion for Authority to Pay 503(b)(9) Claims (16);**  
**Debtor's Motion for Authority to Continue & Honor Pre-Petition Customer Loyalty Prgrms (9);**  
**Debtor's Motion for Order Authorizing Continued Use of Existing Bank Accounts and Cash Management System (10);**  
**Debtor's Motion for Order Authorizing Payment of Pre-Petition Wages, Salaries, Compensation, Expenses, Benefits, and Related Taxes, and to Continue Employee Benefits Post-Petition (11);**  
**Debtor's Motion to Assume Executory Contract (Supervalu Supply Agreement) (32);**  
**Debtor's Motion to Sell Assets Free and Clear of All Liens, Claims and Encumbrances Pursuant to Store Closing Sales (19);**  
**Debtor's Motion for Order Determining Adequate Assurance to Utility Companies (20);**  
**Preliminary Hearing re: Debtor's Motion For Authority to Obtain Credit (26)**

EVIDENTIARY HEARING: ☒ Yes ☐ No

APPEARANCES: A. Kennedy, Aty for Debtor. R. Becker, U.S. Trustee's Office. T. Pearson, Aty for U.S. Bank. J. Misley, Aty for Endeavor Structured Equity & Mezzanine Fund I LP. W. Muhlheim / R. LeHane, Atys for Rouse Properties Inc. D. Weiner, Aty for United Salad Co. D. Foraker, Aty for Nidiffer Family LLC. Fred Carlton, Aty for City of Bandon. G. Johnson, Aty for Sunstone Business Finance LLC. M. Monson, Aty for North Albany Village. T. Huntsberger, Aty for Supervalu. J. VanLeuven, Aty for Realty Income.

SUMMARY OF HEARING: Counsel argued the Motions.

DETERMINATION OF THE COURT: Debtor's Exhibit 1 is received.

As recited on the record:

Debtor's Motion for Expedited Hearings (28) - granted. Debtor's Motion for Authority to Continue and Honor Pre-Petition Customer Loyalty Programs (9) - granted. Debtor's Motion for Order Authorizing Continued Use of Existing Bank Accounts and Cash Management System (10) - granted.

Debtor's Motion for Order Authorizing Payment of Pre-Petition Wages, Salaries, Compensation, Expenses, Benefits, and Related Taxes, and Continue Employee Benefits Post-Petition (11) - granted. Debtor's Motions for Authority to Pay Prepetition PACA Claims (15) and to Pay 503(b)(9) Claims (16) - granted.

Debtor's Motion to Assume Executory Contract (Supervalu Supply Agreement) (32) - granted. Debtor's Motion to Sell Assets Free and Clear of All Liens, Claims and Encumbrances Pursuant to Store Closing Sales (19) - granted with modifications recited. Debtor's Motion for Order Determining Adequate Assurance to Utility Companies (20) - granted.

Preliminary Hearing re: Debtor's Motion For Authority to Obtain Credit (26) - granted, interim order to be tendered, final hearing set. Debtor's Motion to Restrict Public Access (31) - granted

Mr. Kennedy to submit separate orders.

Set a final hearing on Debtor's Motion for Authority to Obtain Credit for December 19, 2013, in Courtroom 6 Eugene, at 10:00 AM.